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November 9, 2005

VIA ELECTRONIC CASE FILING

The Honorable E. Thomas Boyle
United States Magistrate Judge
United States District Court for the Eastern District of New York
Long Island Courthouse
1044 Federal Plaza
P.O. Box 9014
Central Islip, NY 11722-9014

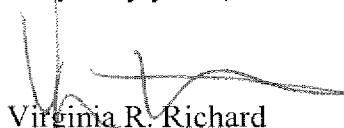
**Re: Google Inc. v. Richard Wolfe d/b/a Froogles.com,
Civ. Action No. CV 05-1779 (TCP) (ETB) (E.D.N.Y.)**

Dear Magistrate Judge Boyle:

Pursuant to the Court's order on October 20, 2005, Google hereby notifies the Court that the parties have agreed to conduct mediation before Carol F. Simkin, who is a member of the mediation panel of the Eastern District of New York.

It is Google's understanding that the E.D.N.Y. Mediation Office usually selects a mediator from its panel. Notwithstanding, Google reviewed the list of E.D.N.Y. approved mediators carefully and narrowed the list down to two well-qualified individuals, one of whom has been rejected by Defendant's counsel on the basis of a perceived conflict. The parties agree that Ms. Simkin has the requisite expertise in the field of trademark law to serve effectively as a mediator in this case. Accordingly, Google respectfully requests that the Court direct the E.D.N.Y. Mediation Office to appoint Ms. Simkin as the mediator in this case.

Very truly yours,



Virginia R. Richard

cc: Robert L. Powley, Esq. (counsel for Defendant)